

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**OTTO R. ROWELL,**

**Defendant.**

**8:13CR317**

## ORDER

This matter is before the court on defendant's motion to continue trial [68] as counsel has a previously scheduled trial in Douglas County District Court. The defendant is also recovering from surgery. The court finds good cause shown and the trial shall be continued. The defendant shall comply with NECrimR 12.1(a).

**IT IS ORDERED** that the motions to continue trial is granted, as follows:

1. The jury trial now set for April 8, 2014 is continued to **May 13, 2014**.
2. Defendant is ordered to file a waiver of speedy trial as soon as practicable.

3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and May 13, 2014**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

**DATED March 21, 2014.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**